

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: **Betina C. Finch**Case No.: 12-37273

Judge: _____

Debtor(s)

Chapter: _____

13

CHAPTER 13 PLAN AND MOTIONS

☐ Original☒ Modified/Notice Required☒ Discharge Sought☐ Motions Included☐ Modified/No Notice Required☐ No Discharge SoughtDate: 6/2/2017 "

THE DEBTOR HAS FILED FOR RELIEF UNDER
 CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor has paid \$16,707 to date and shall pay \$966.00 Monthly to the Chapter 13 Trustee, starting on June 10, 2017 for approximately 6 remaining months, for a total plan of approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:



Future Earnings



Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Law Offices of Robert Manchel	Attorney Fee	\$3,500.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Rushmore Loan Management Services LLC. assignee of Wells Fargo Bank NA.	Residence: 81 Cleveland Ave., Colonia, NJ	\$0.00 per loan modification	n/a	\$0.00	Regular Monthly Payments

LOAN MODIFICATION APPROVED RE: 81 CLEVELAND AVE., COLONIA, NJ

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in

Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
PRA Receivables Management LLC. as Agent of Portfolio Recovery Associates LLC., transferee of Santander Consumer USA	2009 Mazda 6	\$21,006.00	\$10,500.00	None	\$10,500.00	4.25%	\$11,673.62
Wells Fargo Bank NA., transferee of Wachovia Bank NA	Residence: 81 Cleveland Avenue Colonia, NJ	\$174,990.00	\$220,000.00	\$294,347.94	\$0.00	N/A	\$0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
-NONE-

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$_____ to be distributed *pro rata*

_____ Not less than _____ percent

 X *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. **Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
Wells Fargo Bank NA., transferee of Wachovia Bank NA	Residence: 81 Cleveland Avenue Colonia, NJ	100% of Lien

c. **Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
PRA Receivables Management LLC. as Agent of Portfolio Recovery Associates LLC., transferee of Santander Consumer USA	2009 Mazda 6	\$11,673.62	Any and all balance due

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
Part 1a increases trustee payment to complete plan within 60 months. Part 4a reflects debtor entered into a loan modification and the loan modification has been approved.	
Are Schedules I and J being filed simultaneously with this modified Plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date 6/2/ 2017 /s/ Robert Manchel
Robert Manchel
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: 6/2/ 2017 /s/ Betina C. Finch
Betina C. Finch
Debtor

Date: _____
Joint Debtor

Imaged Certificate of Notice Page 7 of 9

United States Bankruptcy Court
District of New JerseyIn re:
Betina C. Finch
DebtorCase No. 12-37273-CMG
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 3
Total Noticed: 66

Date Rcvd: Jun 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 22, 2017.

db
513497353 Betina C. Finch, 81 Cleveland Avenue, Colonia, NJ 07067-2320
+Atlanta Gas Light, Elizabethtown Gas, Virginia Natural Gas, 150 W. Main St., Suite 1510, Norfolk, VA 23510-1775

513497354 Bank Of America, 4060 Ogletown/Stanton Road, Newark, DE 19713
513497356 +Barclays Bank Of Delaware, 125 South West Street, Wilmington, DE 19801-5014
513772155 +CAPITAL ONE BANK (USA), N.A., PO Box 12907, Norfolk, VA 23541-0907
513601024 +Dario Yacker Suarez Albert LLC, Att: Shelley Albert, 345 Union St, Hackensack, NJ 07601-4304

513497359 +Dario, Yacker, Suarez & Albert, LLC, 1590 Anderson Avenue, Fort Lee, NJ 07024-2711
513497360 +Department Stores National Bank/Macys, Nco Financial Systems, Inc., PO Box 4275, Norcross, GA 30091-4275

513497361 E-Z Pass New Jersey, Violation Processing, PO Box 52005, Newark, NJ 07101-8205
513497362 E-Z Pass Transportation Service Center, PO Box 52009, Newark, NJ 07101-8209
513497364 +Elizabeth NJ Firemen's Federal Credit Un, 411 Irvington Avenue, Elizabeth, NJ 07208-2044
513497365 +Elizabeth Police Credit Union, 1 Police Plaza, Elizabeth, NJ 07201-2300
513497366 Elizabethtown Gas, P.O. Box 11811, Newark, NJ 07101-8111
513497367 +Exxon/CBSB, P.O. Box 6497, Sioux Falls, SD 57117-6497

513497368 +GC Acquisitions, LLC, Vativ Recovery Solutions, LLC, PO Box 40728, Houston, TX 77240-0728
516634579 GCAT Management Services 2015-13 LLC, 1209 Orange Street, Wilmington, DE 19801
516634580 +GCAT Management Services 2015-13 LLC, 1209 Orange Street, Wilmington, DE 19801, GCAT Management Services 2015-13 LLC, 1209 Orange Street, Wilmington, DE 19801-1120

513497369 +Genesis Financial Solutions, Vativ Recovery Solutions LLC, As Agent for Genesis Financial Services, P.O. Box 19249, Sugar Land, TX 77496-9249
513497370 Greater Alliance Federal Credit Union, c/o Raymond Meisenbacher & Sons, 739 East Main St., Bridgewater, NJ 08807-3339

513497373 +HSBC Bank, P.O. Box 5253, Carol Stream, IL 60197-5253
513497374 +HSBC Bank Nevada, N.A., by PRA Receivables Management, LLC, PO Box 12907, Norfolk VA 23541-0907

513497372 Hayt, Hayt & Landau, LLC, P.O. Box 500, Eatontown, NJ 07724-0500
513497375 +JC CHRISTENSEN & ASSOC, PO BOX 519, SAUK RAPIDS MN 56379-0519
(address filed with court: J.C. Christensen & Associates, Inc., P.O. Box 519, Sauk Rapids, MN 56379)

516046519 +Kean University, 1000 Morris Ave., Union, NJ 07083-7131
516634608 MTGLQ Investors, LP, P.O. Box 52708, Irving, CA 92619-2708
516634609 MTGLQ Investors, LP, P.O. Box 52708, Irving, CA 92619-2708, MTGLQ Investors, LP, P.O. Box 52708, Irving, CA 92619-2708

513497378 +Macy's, 9111 Duke Bouelvard, Mason, OH 45040-8999
513497379 +Oxford Collection Services, 135 Maxess Road, Suite 2A, Melville, NY 11747-3801
513497380 PSE&G, P.O. Box 14444, New Brunswick, NJ 08906-4444
513497383 +Raymond Meisenbacher & Sons, 739 East Main Street, Bridgewater, NJ 08807-3339
513497385 +Santander Consumer USA, P.O. Box 660633, Dallas, TX 75266-0633
513552814 +Santander Consumer USA, P.O. BOX 560284, Dallas, TX 75356-0284
513497387 +Sprint, C/O Pentagroup Financial, 5959 Corporate Drive, Suite 14, Houston, TX 77036-2302
513497388 +T-Mobile, Law Office Of Mitchell N. Kay, 7 Penn Plaza, New York, NY 10001-3995
513497389 Trinitas Emergency Solutions, PC, P.O. Box 8500-7316, Philadelphia, PA 19178-7316
513497390 +Trinitas Regional Medical Center, 225 Williamson Street, Elizabeth, NJ 07202-3625
513497391 University Radiology Group, PC, P.O. Box 1075, East Brunswick, NJ 08816-1075
513497392 Verizon, PO Box 3037, Bloomington, IL 61702-3037
513497393 +Verizon New Jersey, Inc., 500 Technology Drive, Weldon Spring, MO 63304-2225
513497394 ++WACHOVIA BANK NA, MAC X2303-01A, 1 HOME CAMPUS, 1ST FLOOR, DES MOINES IA 50328-0001
(address filed with court: Wachovia Mortgage, P.O. Box 3117, Winston-Salem, NC 27102)

513497395 +Web Bank, 8405 Southwest Nimbus Avenue, Beaverton, OR 97008-7185
513760433 +Wells Fargo Bank, 1 Home Campus, MAC# X2303-01A, Des Moines IA 50328-0001
513497397 +Wells Fargo Bank, N.A., ATTN: Bankruptcy Dept., MAC# D3347-014, 3476 Stateview Blvd., Fort Mill, SC 29715-7203

513780888 +Wells Fargo Bank, NA, c/o Zucker Goldberg & Ackerman, 200 Sheffield Street, Suite 301, Mountainside, NJ 07092-2315

513497398 Wells Fargo Bank, National Association, P. O. Box 13765, R4057-01P, Roanoke, VA 24037-3765
513497399 +Wells Fargo Home Mortgage, 3480 Stateview Boulevard, Fort Mills, SC 29715-7203
513497400 +Zucker, Goldberg & Ackerman, 200 Sheffield Road, Suite 301, Mountainside, NJ 07092-2315

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Jun 20 2017 22:29:31 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreign03.ne.ecf@usdoj.gov Jun 20 2017 22:29:27 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235

513496958 +E-mail/Text: EBNProcessing@afni.com Jun 20 2017 22:29:40 Afini Inc., Attn: bp recovery Support, PO Box 3427, Bloomington, IL 61702-3427

513610516 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jun 20 2017 22:25:29 American InfoSource LP as agent for, Verizon, PO Box 248838, Oklahoma City, OK 73124-8838

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 3
Total Noticed: 66

Date Rcvd: Jun 20, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

513497352 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jun 20 2017 22:25:28
American Infosource Lp As Agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
Oklahoma City, OK 73124-8848
513497357 +E-mail/Text: bncmail@w-legal.com Jun 20 2017 22:29:41 CANDICA L.L.C.,
C O WEINSTEIN AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
513497358 E-mail/PDF: resurgentbknofications@resurgent.com Jun 20 2017 22:25:11 CR Evergreen, LLC,
MS 550, PO Box 91121, Seattle, WA 98111-9221
513497363 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 20 2017 22:25:11
East Bay Funding, LLC, c/o Resurgent Capital Services, PO Box 288,
Greenville, SC 29602-0288
513497371 +E-mail/Text: csocha@greateralliance.org Jun 20 2017 22:30:41
Greater Alliance Federal Credit Union, 40 West Century Road, Paramus, NJ 07652-1454
513497376 E-mail/PDF: resurgentbknofications@resurgent.com Jun 20 2017 22:25:11 LVNV Funding LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
513747817 E-mail/PDF: resurgentbknofications@resurgent.com Jun 20 2017 22:25:27
LVNV Funding LLC its successors and assigns, c/o Resurgent Capital Services, PO Box 10587,
Greenville, SC 29603-0587
513497377 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 20 2017 22:25:28 LVNV Funding, LLC,
P.O. Box 740281, Houston, TX 77274-0281
514351181 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 20 2017 22:43:01
Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
514351182 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 20 2017 22:37:39
Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541,
Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
513882290 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 20 2017 22:43:01
PRA Receivables Management, LLC, POB 41067, Norfolk, VA 23541,
PRA Receivables Management, LLC, POB 41067, Norfolk, VA 23541-1067
513882289 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 20 2017 22:37:19
PRA Receivables Management, LLC, POB 41067, Norfolk, VA 23541-1067
513497381 +E-mail/Text: bankruptcy@pseg.com Jun 20 2017 22:28:32 PSE&G, Attn: Bankruptcy,
PO Box 490, Cranford NJ 07016-0490
513497382 E-mail/Text: bnc-quantum@quantum3group.com Jun 20 2017 22:29:18
Quantum3 Group LLC as agent for, Galaxy Asset Purchasing LLC, PO Box 788,
Kirkland, WA 98083-0788
513497384 E-mail/PDF: rmscedi@recoverycorp.com Jun 20 2017 22:25:10
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605

TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

513758308* +East Bay Funding LLC, c/o Resurgent Capital Services, PO Box 288,
Greenville, SC 29602-0288
514205717* +Wells Fargo Bank, N.A., ATTN: Bankruptcy Dept., MAC# D3347-014, 3476 Stateview Blvd.,
Fort Mill, SC 29715-7203
513497355 ###Bank Of America, P.O. Box 1598, Norfolk, VA 23501-1598
513497386 ###Santander Consumer USA, 8585 North Stemmons Freeway, Dallas, TX 75247-3822
TOTALS: 0, * 2, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 22, 2017

Signature: /s/Joseph Speetjens

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 66

Date Rcvd: Jun 20, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 19, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Brian C. Nicholas on behalf of Creditor WELLS FARGO BANK, N.A. bnicholas@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor MTGLQ Investors, LP dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Wells Fargo Bank, NA
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor WELLS FARGO BANK, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor GCAT Management Services 2015-13 LLC
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor MTGLQ Investors, LP jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Robert Manchel on behalf of Debtor Betina C. Finch manchellaw@yahoo.com

TOTAL: 10